

REMARKS

Upon entry of this Amendment in RCE, claims 1-3, 9, 11-13, 19, and 21-23 are presently pending.

At the bottom of page 7 of Decision on Appeal, the Board indicates that “the examiner’s rationale to extend the light-shielding member in the admitted prior art device is problematic essentially for the reasons noted by appellants.” Nonetheless, at the top of page 8 of the Decision on Appeal, the Board states “Murade considered alone amply establish a prima facie case of obviousness. In short, the examiner’s reliance on the admitted prior art device to establish a prima facie case of obviousness is merely cumulative to the teachings of Murade.”

Thus, in view of the Decision on Appeal, Applicants respectfully understand the previously pending claims essentially stand rejected under 35 U.S.C. § 102 or 103 as being anticipated by or unpatentable of Murade alone. Applicants have amended the pending independent claims and respectfully submit that the rejection no longer applies for at least the following reasons.

With respect to independent claims 1 and 11, as amended, Applicants respectfully assert that Murade does not relate to and does not disclose a device comprising a charging device having a second metal film that extends into a pixel area so that it overlaps the pixel electrode, as claimed in claim 1. In addition, independent claims 1 and 11 recite a second light shielding member overlapping the charging device and extending from ends of the second metal film of the charging device into the pixel area to ensure a margin sufficient to block light incident on the second metal film. In contrast, the data line 3 of Murade (which is alleged to be a “second metal film” as claimed) does not extend into the pixel area and does not overlap the pixel electrode. Thus, with Murade, there would be no need to have a “second light shielding

member" extending into the pixel area, and one would merely use a conventional "matrix-shaped" black matrix.

Accordingly, Applicants respectfully submit that independent claims 1 and 11, as amended, are allowable. Applicants respectfully submit that independent claims 9 and 19, as amended, are allowable for reasons similar to those presented above with respect to independent claims 1 and 11, as amended. Further, Applicants respectfully submit that dependent claims 2-3, 12-13 and 21-23 are allowable at least because of their respective dependencies from independent claims 1, 9, 11, and 19, as amended, and the reasons set forth above.

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration of this application. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account

No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.1 36(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Robert J. Goodell
Reg. No. 41,040

Date: December 20, 2006

By:

CUSTOMER NO. 009629

MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: (202) 739-3000